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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/591,415	09/01/2006	Marcel Pluss	P/4631-25	2530
2352 7590 10/27/2008 OSTROLENK FABER GERB & SOFFEN 1180 AVENUE OF THE AMERICAS NEW YORK, NY 100368403				
EXAMINER MEHMOOD, JENNIFER				
ART UNIT		PAPER NUMBER		
2612				
MAIL DATE		DELIVERY MODE		
10/27/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/591,415

Applicant(s)

PLUSS ET AL.

Examiner

JENNIFER MEHMOOD

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 May 2008.
2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 1-22 is/are allowed.
6) ☐ Claim(s) _____ is/are rejected.
7) ☒ Claim(s) 1-22 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 01 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date 9/1/2006
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

Claim Objections

1. Claims 1 and 22 are objected to because of the following informalities:
 - a. For claim 1, "The communication range" (lines 1 and 2) should be changed to "a communication range". Before "a standard transmitting", line 7, insert "at least one of". Change "less", line 8 to "reduced transmitting power". Change "characterized in that" to "wherein", line 9. Change "a number of fundamental" to "at least one of unmodulated or force excited", lines 10, and 14 and 15.
 - b. For claim 22, "The communication range" (line 2) should be changed to "a communication range". Before "a standard transmitting", line 7, insert "at least one of". Change "less", line 8 to "reduced transmitting power". Change "characterized in that" to "wherein", line 9. Change "a number of fundamental" to "at least one of unmodulated or force excited", lines 10, and 13 and 14. Change "can" to "is", lines 14-16.
- Appropriate action is required.

Allowable Subject Matter

2. Claims 1-22 are allowed.

The following is an examiner's statement of indication of allowable subject matter: A method and device for detecting identification media within a communication range of an antenna for transmitting and receiving RF signals of a read/write unit which operates in accordance with the principle of inductive coupling of an RF field in the MHz

frequency band and which has a transmitting path connected directly to the antenna, a receiving path connected directly to the antenna, a circuit for RF communication with at least one of standard transmitting power or reduced transmitting power, and a logical circuit for evaluating a communication between the read/write unit and an identification medium wherein a short polling signal, which contains at least one of unmodulated or force excited oscillations of the RF field, is periodically emitted with the standard transmitting power via the transmitting path and the antenna that during the emission of the polling signal, a return signal with at least one of unmodulated or force excited oscillations of the RF field is detected at the antenna then the return signal is compared with a reference signal and then a communication signal is emitted for detecting an identification medium if the return signal differs from the reference signal. Moreover, the prior art indicates that this particular method and device is novel and has not been published or patented by other entities.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Johnson (US 6,476,708), Bashan et al. (US 6,202,927) and Albert et al. (US 7,016,647) disclose detecting ID transponder media within the range of an interrogator.

4. This application is in condition for allowance except for the following formal matters:

Objections to claims 1 and 22 must be corrected.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer Mehmood whose telephone number is (571) 272.2976. The examiner can normally be reached 8:00-4:30, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Benjamin Lee can be reached at (571) 272.2963. The fax phone number for the organization where this application or proceeding is assigned is (571) 273.8300 for regular and after final communications.

Any inquiry of a general nature of relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272.2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Jennifer Mehmood/
Primary Examiner
October 20, 2008